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ATTORNEY DOCKET NO. 10031094-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 03 2005

Inventor(s): Richard C Ruby, et al.

Serial No.: 10/785525

Examiner: Summons, Barbara

Filing Date: February 23, 2004

Group Art Unit: 2817

Title: Vertically Separated Acoustic Filters And Resonators

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☐ No additional fee (Address envelope to "Mail Stop Amendments")  
☐ Other: (Fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	23	MINUS	25	= 0	X 50	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 <sup>ST</sup> MONTH 120.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 450.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 1020.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1590.00 <input type="checkbox"/>		\$ 0
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Richard C Ruby, et al.

By Pamela Lau Kee

Pamela Lau Kee  
Attorney/Agent for Applicant(s)

I hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below:

Date of facsimile: August 3, 2005

Typed Name: Ann Marie Radcliffe

Signature: Ann Marie Radcliffe

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Date: August 3, 2005

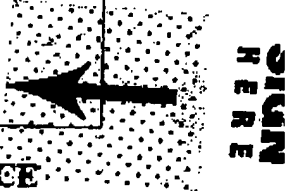
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<input type="checkbox"/> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.  Date of Deposit: Typed Name: Signature:	<input checked="" type="checkbox"/> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.  Date of Facsimile: August 3, 2005 Typed Name: Ann Marie Radcliffe Signature:
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Inventor(s): Richard C. Ruby, et al****Examiner: Summons, Barbara****Serial No.: 10/785,525****Group Art Unit: 2817****Filing Date: 02/23/2004****Title: Vertically Separated Acoustic Filters and Resonators****Sir:**

In an Office Action dated 8 July 2005 having a 30 day statutory period of response expiring 7 August 2005, the Examiner has asked the applicants to elect one of the following groups:

Group I: Claims 1-23, drawn to an apparatus comprising vertically separated acoustic resonators, class 333, subclass 187

Group II: Claims 24-25, drawn to method of fabricating an apparatus with two resonators using a sacrificial layer, class 427, subclass 100

Applicants elect Group I. Please delete claims 24 and 25 without prejudice. The pending claims are presented below.